



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.02.2018

CORAM:

THE HON'BLE MR.JUSTICE P.RAJAMANICKAM

CRL.O.P.(MD)No.2096 of 2018

M.S.Syed Ibrahim

... Petitioner

-vs-

1.The State represented by
The Superintendent of Police,
Ramanathapuram District.

2.The Inspector of Police,
District Crime Branch,
Ramanathapuram District.

... Respondents

Prayer: Criminal Original petition is filed under Section 482 of Criminal Procedure Code, to direct the respondents herein not to harass the petitioner and his family members, under the guise of enquiry into the false complaint filed against the petitioner and his family members except under due process of law.

For Petitioner : Mr.A.R.Kannappan
For Respondents : Mr.Prabu Ramachandran
Government Advocate (Crl.Side)

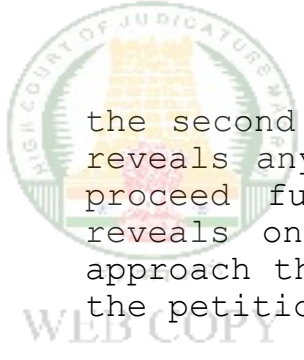
ORDER

This Criminal Original Petition has been filed by the petitioner, to direct the second respondent not to harass the petitioner and his family members under the guise of the enquiry.

2.The learned counsel appearing for the petitioner has submitted that the petitioner has borrowed a sum of Rs.40,00,000/- from one Sulthan Syed Ibrahim and at that time, the said person got signatures in blank stamp papers and subsequently, he used the said stamp papers and prepared some false documents and gave a false complaint before the second respondent and based upon of the said complaint, the second respondent is harassing the petitioner.

3.The learned Government Advocate (Crl.Side) has submitted that after receipt of the complaint, summons has been served on the petitioner, but he has not appeared and hence the enquiry is still pending.

4.Considering the aforesaid submissions, the petitioner is directed to appear before the second respondent, On such appearance,



the second respondent has to conduct the enquiry and if the enquiry reveals any cognizable offence, then he has to register a case and proceed further in accordance with law. In case, the enquiry reveals only a civil dispute, then he can direct the parties to approach the Civil Court and get appropriate remedy. During enquiry the petitioner should not be subjected any harassment.

5. With the aforesaid observations, this Criminal Original Petition is disposed of.

Sd/-

Assistant Registrar (Crl side)

/True copy/

Sub Assistant Registrar

To

1. The Superintendent of Police,
Ramanathapuram District.

2. The Inspector of Police,
District Crime Branch,
Ramanathapuram District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1cc to Mr. A. R. KANNAPPAN, Advocate, SR. 48033

CRL.O.P. (MD) No. 2096 of 2018
12.02.2018

SSS

KK/SV MMS/SAR 4/12.03.2018/ 2P- 5C/